

REMARKS

This Amendment is submitted in response to the Office Action filed on August 8, 2005.

Applicants hereby amend claims 6, 10, 13, cancel claims 11 and 12 and add new claims 14, 15, and 16.

The Examiner requested that Applicants furnish formal drawings. Applicants respectfully assert that formal drawings were previously submitted as a response to a notice of missing parts. The Examiner further objects to an informality in claim 6. Applicants hereby amend claim 6 as suggested by the Examiner. Further amendments to claim 6 were made to more clearly recite the reading step.

Applicants also amend claim 10 to better recite significant features of certain embodiments of the present invention. More specifically, claim 10 has been amended to include limitations from claims 11 and 12. Claims 11 and 12 are canceled.

The Examiner rejected the pending claims as anticipated by U.S. Patent No. 6,914,695 issued to Walters et al. (Walters). Applicants respectfully traverse.

Independent claims 1, and 6 are patentable over Walters because Walters does not disclose a portable memory device reader as recited in claim 1 nor does it disclose the steps of connecting a portable memory device to a portable memory device reader and reading the image in the portable memory device by the portable memory device reader, as recited by claim 6. Instead, Walters discusses cameras which transfer images to a server through wireless communication. It would be readily apparent to a person of skill in the art that a camera is not a portable memory device reader. Therefore, claims 1 and 6 do not encompass and thus cannot be anticipated by any system in which a camera sends images directly to the computer.

The embodiments towards which claims 1 and 6 are directed require that if a user wishes to upload images from a camera, the user must remove a portable memory device (such as, e.g., a flash memory stick) on which the camera stores the images from the camera, insert the portable memory device in a portable memory device reader connected to a computer (such as, e.g., a flash reader) and then allow the images to be uploaded. Thus, in these embodiments, the camera itself does not directly send the images to the computer. It should be also noted that claims 1 and 6 do not require that a camera be used at all.

The embodiments recited by claims 1 and 6 have distinct advantages over the existing methods of uploading images including those discussed by Walters. If the camera is to be used to directly transfer images to a computer, then the camera manufacturer has control over how these images are to be transferred, which interfaces are to be used, etc. The camera manufacturers often use this control to create proprietary interfaces for transferring of images. This usually means that users are required to use software and services provided by the camera manufacturers in order to transfer images (see, e.g. first two paragraph of p. 2 of the present application). Thus, users cannot benefit from superior image transfer software and online image hosting services which may exist in the market. Furthermore, when a user purchases a new brand of digital camera a user will be usually required to use another proprietary software and image hosting service. Thus, the user would not be able to keep his/her online photo albums at a single place.¹

The embodiments recited by claims 1 and 6 solve these issues by bypassing the camera and any proprietary interfaces it may use and retrieving images directly from storage media (such as flash memory sticks) previously removed from the camera.

Claims 1 and 6 are patentable over Walters for the above described reasons. Claims 2-5 and 7-9 are patentable because they depend from patentable claims 1 and 6, respectively.

Claim 10 as amended is patentable over Walters because Walters does not disclose an album tools module. Applicants have carefully reviewed the text of Walters which the Examiner cited as disclosing an album tools module, and find no such disclosure. In other words, Walters does not disclose any server side tools which allow a user to “manipulate, delete, and create folders and their contents.” Instead, Walters states that “information entered at the camera interface at the time the picture is taken may be used to direct the program as to where the image should appear in the client's web directory” (col. 11, ll 44-47). Thus, Walters discloses that the directory in which images are to be placed at the server is to be specified at the camera when the picture is taken, while claim 10 recites that the contents of folders be manipulated by server side tools when the image has been uploaded to the server, which is long after the picture has been taken. Therefore, it can be seen that the approaches

¹ It is true that a user familiar with file manipulation may be able to “manually” obtain image files from a proprietary image transfer software and then “manually” upload these files to any image hosting service he or she prefers, however this is not a satisfactory solution to the problems presented above as it can it only applies to persons with sufficient technical knowledge and requires that users manually perform actions which may be automated as shown by the present application.

taken by Walters and the present invention are very different.

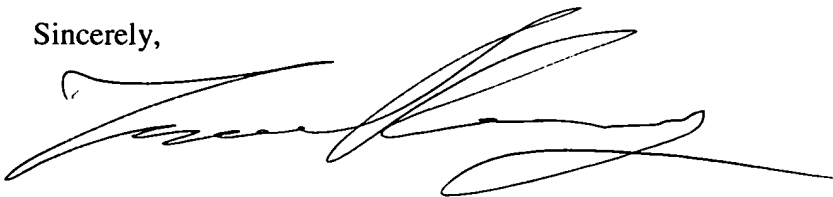
The ability to manipulate folders using server side album tools is very important for persons that are not technically proficient. Digital cameras have revolutionized amateur photography by allowing people to take large number of pictures for a very low marginal cost. The large number of pictures obviously requires high degree of organization if a user is to be able to retrieve desired pictures later. Multiple folders are very helpful for such organization. And while most modern operating systems feature directories which are similar to folders, a user who is not technically proficient would not be able to manipulate these directories using the standard methods provided by these operating systems (this is especially difficult since the directories are at a server which is usually a computer remote from the user). On the other hand, a server side album tools module may create an easy and intuitive interface for organizing images into folders. Thus, a server side album tools module is necessary to allow a non-technically proficient user to organize his/her photos.

For the reasons discussed above, claim 10 is patentable over Walters. Claim 13 is also patentable because it depends from claim 10.

New claims 14-16 were added to better recite certain features of embodiments of the present invention. Claims 14, 15, and 16 are patentable because they depend from patentable claims 1, 6, and 10, respectively.

Applicants respectfully assert that for the reasons discussed above the claims as amended are patentable and the present application is in condition for allowance. If a phone interview would facilitate the examination process the Examiner is welcome to contact Hristo Vachovsky at (917) 951 7890.

Sincerely,

A handwritten signature in black ink, appearing to read 'Hristo Vachovsky', with a long, sweeping horizontal line extending to the right.

Hristo Vachovsky

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